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Humanitarian Intervention: The United Nations in an Evolving World Order

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phy. The author concludes that while the two positions are related in some ways, they both express different ideas about the moral world which should exist upon the elimination of pornography.

With the theoretical frameworks explored, Potter presents a brief history of Australian pornography chapter five. Potter focuses on the Australian video and magazine classification scheme to define exactly what an X-rated video is and how the classification came into being. From a legal standpoint, prior to 1945, there was no legislative concern about pornography due to general censorship legislation which essentially covered all media. In a legal sense, the word pornography did not and still does not exist in the Federal legislation. What currently does exist is an X-rating for video products which was developed in 1994 which "officially" makes such videos unavailable in Australia.

However, as Potter explains, the presence of "video nasties" in the country is recognized. The availability of print and video pornography in Australia is quite open. Potter takes the opportunity in chapter six to examine the conduct as opposed to the content of this industry.

Chapters seven through nine are data-related chapters which take a look at the individual. While choosing to focus on a "structural" rather than "individual" approach, the author submits statistical data to support his conceptual hypothesis. Potter feels strongly about structural approaches to the study of social behavior because "in the end, however, the individuals do not matter, only the social structure."

Potter's concluding remarks assert that neither pornography nor sexuality is the issue asserted. Rather, the real issue is the need for social groups to separate themselves from each other. It comes down to the various social groups' inability to believe in their own "moral superiority" that leads to heated battles on issues of pornography. Stereotyping, a necessary human activity, is eventually what this book is about. The author is interested in how groups of individuals proclaim their positions on issues such as pornography, homosexuality, gun control, pedophilia, abortion, or any other issue of social contention and then seek to have others accept that group's position as the best position.

Overall, the author provides an interesting viewpoint on how social groups use various controversial issues (in this case pornography) as a major symbol to try and impose their version of proper morals on others. The examination of the Australian system of dealing with pornography issues is interesting in providing a framework for Potter's "bigger picture" regarding the true issues involved.

Jeffrey N. Holappa

SEAN D. MURPHY, *HUMANITARIAN INTERVENTION: THE UNITED NATIONS IN AN EVOLVING WORLD ORDER*, University of Pennsylvania Press; Philadelphia (1996); ISBN 0-

81223-382-4; 427 pp. (hardcover).

In a comprehensive study of humanitarian intervention and its relevance to the United Nations, author Sean D. Murphy has provided rare scholarship. *HUMANITARIAN INTERVENTION: THE UNITED NATIONS IN AN EVOLVING WORLD ORDER* may, indeed, be the only work of its kind on a subject of ever more political, legal and ethical importance. As such, this monograph is an invaluable and timely contribution to the contemporary polemics of humanitarian intervention - particularly in light of the recent horrors of Rwanda and Bosnia-Herzegovina, and the awakening of the international community to seek and demand solutions to mitigate human suffering caused by corrupt or ineffectual governments. Edited by Burns H. Weston, the book is the twenty-first volume in the Procedural Aspects of International Law Series. This series has been devoted to diverse areas of international legal studies by high profile scholars for over thirty years. *HUMANITARIAN INTERVENTION* is a fine addition to this body of work.

The author begins this study with an analysis of what "humanitarian intervention" could mean, and the problem of the broad ambiguity of the term as it has historically been understood and applied. He then constructs a working definition, attempting to identify the general contours of the issue: "humanitarian intervention is the threat or use of force by a state, group of states, or international organization primarily for the purpose of protecting the nationals of the target state from widespread deprivations of internationally recognized human rights." Each element of this statement is then briefly analyzed, supporting a discrete, well-articulated and theoretically satisfying definition which serves as the nucleus of the work.

Once the working definition is established, Murphy briefly assesses the concept of humanitarian intervention vis-à-vis the matrices of international law, moral philosophy and political theory. This is helpful to the study, demonstrating the need to be wary of the conceptual dynamics by which humanitarian endeavors must be justified. The author then outlines the methodology of his study. Although all traditional sources of international law are tapped, Murphy puts noteworthy emphasis on Michael Reisman's "incidents" genre, finding it particularly appropriate for the study of the infrequent occurrences of humanitarian intervention. Indeed, an entire chapter is structured by this methodology whereby Murphy simply states the essential facts of six recent international incidents, and then assesses the actual impact of the intervention.

In addition to recent acts of humanitarian intervention, the history of its use is carefully traced. Murphy begins with ancient legal traditions (principally Greco-Roman), and carries the concept of humanitarian intervention through medieval Christian Europe, and up to the advent of the nation-state (the works of Grotius and Vattel). Further

nineteenth- and twentieth-century history of the concept is evaluated in terms of the growth of positive law and European intervention, leading to the effect on humanitarian intervention of the Covenant of the League of Nations and the Kellogg-Briand Pact. Then the U.N. Charter itself is examined for the critical elements relating to human rights and use of force. Finally, Cold-War interventions are evaluated chronologically, and related developments to the U.N. during that period are similarly considered.

Once brought current on the status of humanitarian intervention, the reader is provided with a thorough articulation and analysis of the critical issues of the day. For example, Murphy dedicates an entire chapter to the problem of unilateral humanitarian intervention. Here he examines rules-oriented, policy-oriented and philosophy-oriented approaches to the problem. Murphy then concludes with an evaluation of the criteria typically formulated by scholars to regulate the use of unilateral intervention in the event the U.N. Security Council is unable to act as an authority on the issue. He finds such definitive approaches incompatible with the nature of humanitarian intervention which must be accommodated to varied and unpredictable situations.

The critical issue of this work is the UN's current role in setting standards and regulating humanitarian intervention. On this, Murphy examines the Security Council's new role and the role of other U.N. organs, as well as regional arrangements under the U.N. Charter. Moreover, the means, limitations and difficulties encountered with U.N. intervention is evaluated. Murphy concludes with suggestions for improving the efficacy of U.N. intervention. He emphasizes that policy-makers must: take threats to peace seriously; pursue *ad hoc* but principled action; clearly identify the type and severity of human rights deprivation; enhance the power of the Secretary-General and specialized agencies; and ultimately, find ways to deter human rights abuses *a priori*. These, Murphy finds, are all shortcomings in the current state of affairs with respect to U.N. humanitarian intervention.

In addition to the rich scholarship on the issue of humanitarian intervention and the U.N., international law scholars will be quite happy with Murphy's Bibliography and Appendix of U.N. Documents. The Bibliography is neatly outlined topically, as well as by type of source. One section is even outlined sub-topically by geographical source. The Appendix of U.N. Documents is similarly structured to mitigate some of the arduousness of evaluating U.N. Security Resolutions in terms of their applicability to humanitarian endeavors and to specific countries. Moreover, the source quality is extremely high, tapping the most current publications, as well as the most renowned scholars. *Humanitarian Intervention* will prove to be a great resource to students and policy-makers alike.

Cathleen Hopfe

